

**FORTIETH DAY**

(Monday, March 18, 1963)

The Senate met at 10:30 a.m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 14, 1963, was dispensed with and the Journal was approved.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
March 18, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 64 by vote of 111 ayes, 26 noes.

H. C. R. No. 21, Memorializing the Congress of the United States to call a convention for the purpose of proposing an amendment to Article V of the Constitution of the United States.

H. C. R. No. 45, In memory of Walter Prescott Webb.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Senate Bill 431 on First Reading**

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Aikin:

S. B. No. 431, A bill to be entitled "An Act to amend subsection a of Section 1(4) in Article III of Senate Bill 116, Chapter 334, Acts 51st Legislature, Regular Session 1949 as last amended in Section 1 of Senate Bill 70, Chapter 386, Acts 55th Legislature, Regular Session 1957, to increase the age eligibility for exceptional children program benefits; to amend further Section 1 of Article III, Senate Bill 116, supra, as amended, by adding thereto a new subsection designated (4A) to provide an annual transportation cost allotment on exceptional pupils enrolled in an approved exceptional children program on a per pupil capita formula basis to be computed and paid from certain State Appropriation; prescribing the conditions and for accountability thereof; providing for an effective date of this amendatory Act; and declaring an emergency."

To the Committee on Finance.

**Senate Bill 432 on First Reading**

By unanimous consent the following local bill was introduced, read first

time and referred to the committee indicated:

By Senator Calhoun:

S. B. No. 432, A bill to be entitled "An Act relating to the creation of a County Court at Law for Smith County; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### Senate Resolution 271

Senator Harrington offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate gallery members of the Little Cypress girl's basketball team; and

Whereas, These visitors under great handicap succeeded in advancing to the State Finals and were declared second place winners; and

Whereas, In 1962 and 1963 they have established the admirable record of winning 39 games while losing only one; and

Whereas, This team composed of Linda Brown, Sherry Eaves, Mary Teal, Martha Lee, Jane Skinner, Brenda Sweezy, Ginger Ellis, Patsy Scales, Delfina Pachuca, Mary Reider, Connie Riley, Janice Wynn, Linda Copeland (Mgr.), and Preston O. Prince (Coach), have displayed great courage and sportsmanship; therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Harrington by unanimous consent presented the guests to the Members of the Senate.

#### Senate Resolution 272

Senator Bates offered the following resolution:

Whereas, Pan American College of Edinburg, Texas, on Saturday, March 16, won the 26th Annual Basketball Championship Tournament of the National Association of Intercollegiate Athletics after defeating teams from Nebraska, Florida, Michigan, Louisiana and North Carolina, thus bringing to Texas its third national championship for colleges under 10,000 scholastics in recent years; and

Whereas, Lucious Jackson of San Marcos, a junior at Pan American College, was voted the tournament's "Most Valuable Player" and was selected to be a member of the all-tournament team in Kansas City. Lucious was also chosen "All American" by United Press International; and

Whereas, Another Pan American College student, Mitchell Edwards of Houston, was also selected for the first team of NAIA, thus giving Pan American College two NAIA "All American" basketball players; now, therefore, be it

Resolved, That the Senate of Texas of the 58th Legislature acknowledge the outstanding performance of this team which was invited by the Valley Legislative Delegation to visit the State Capitol today and extend its sincere congratulations to Coach Sam Williams and Athletic Director Jim Brooks; and, be it further

Resolved, That copies of this resolution be presented each of the 11 players and Student Manager, as well as to the Coach and Athletic Director.

The resolution was read and was adopted.

Senator Bates by unanimous consent presented the distinguished guests to the Members of the Senate.

#### Reports of Standing Committee

Senator Dies submitted the following reports:

Austin, Texas,  
March 18, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 432, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

DIES, Chairman.

Austin, Texas,  
March 18, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 295, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass, and be printed.

DIES, Chairman.

#### Senate Bill 432 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent S. B. No. 432 was ordered not printed.

#### House Bill 295 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 295 was ordered not printed.

#### Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 99, A bill to be entitled "An Act amending Chapter 125 of the 45th Legislature, 1937 (compiled as Article 6243e, Vernon's Annotated Civil Statutes), by adding a new section numbered 10D, requiring any city of more than one hundred and eighty-five thousand (185,000) but less than one hundred and ninety-five thousand (195,000) inhabitants, according to the last preceding federal census, to contribute amounts into firemen's retirement and pension funds, providing the firemen with payment of the total amount they have individually contributed into such fund upon termination of their employment and prior to receiving their twenty-year retirement certificate; providing an election by terminated firemen having received their twenty-year certificates to receive the total amount of their contribution or to continue making payments into such fund until reaching the age of fifty-five, and at such time he shall receive all pension benefits which have accrued; and declaring an emergency."

#### Motion to Place Committee Substitute Senate Bill 15 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 15 for consideration at this time.

There was objection.

Senator Reagan then moved to suspend the regular order of business and take up C. S. S. B. No. 15 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

#### Yeas—19

Aikin	Kennard
Blanchard	Moore
Calhoun	Parkhouse
Cole	Ratliff
Colson	Reagan
Crump	Richter
Hall	Schwartz
Hardeman	Strong
Harrington	Watson
Hazlewood	

#### Nays—11

Creighton	Owen
Dies	Patman
Herring	Rogers
Kazen	Spears
Krueger	Word
Moffett	

#### Absent

Bates

#### Senate Concurrent Resolution 38

Senator Owen offered the following resolution:

S. C. R. No. 38, Granting Elgean Shield permission to sue the State of Texas.

Whereas, Elgean Shield is a citizen of the State of Texas and a retired military officer of the Army of the United States and the National Guard of the State of Texas; and

Whereas, Elgean Shield asserts that the records of the Adjutant General of the National Guard of the State of Texas do not properly state the record of his military service; and

Whereas, It is necessary that the records of the Adjutant General of the State of Texas accurately reflect the service of Elgean Shield so that the records of the Department of the Army of the United States may also accurately reflect the service of Elgean Shield; and

Whereas, Elgean Shield is a retired military officer who served the United States and the State of Texas honorably as an officer of the Army of the United States and the National Guard of the State of Texas during World War II and who was retired because of a service-caused disability during the latter part of World War II; and

Whereas, It is necessary that the records of the Adjutant General of the State of Texas regarding the military service of Elgean Shield which Elgean Shield asserts are incorrect must be corrected by the Adjutant General in order for Elgean Shield to be eligible for increased retirement pay benefits from the Department of the Army of the United States; and

Whereas, It is the policy of the Legislature to give and grant to persons the right to litigate any valid action against the State of Texas or an officer of the State of Texas in a court of competent jurisdiction; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That Elgean Shield should be, and he is hereby granted permission to bring suit against the State of Texas and the Adjutant General of the State of Texas in any court of competent jurisdiction in Travis County, Texas, to have judgment against the Adjutant General of the State of Texas for the correction of the military records of Elgean Shield as a member of the National Guard of the State of Texas, and service of citation for the purposes herein granted may be served upon the State of Texas and the Adjutant General by serving the Attorney General and the Adjutant General; and be it further

Resolved, That any party to the suit shall have the right of appeal as is provided for in other civil cases; and be it further

Resolved, That such suit may be filed within two years from the effective date of this resolution; and be it further

Resolved, That it is understood that the purpose of this resolution is solely to grant permission to bring suit against the State of Texas and the Adjutant General of the State of Texas and no admission of liability on the part of the State or the Adjutant General or admission as to any fact is hereby made by this resolution, and it is specifically provided that the facts upon which any recovery or order for correction of records is sought must be proved in court as in other civil cases; and be it further

Resolved, That nothing herein shall be construed as a waiver of any defense, of fact as well as of law, that

may be asserted by or available to the State of Texas or the Adjutant General of the State of Texas, or any of the Departments or Agencies of the State of Texas in said suit, but all such defenses are hereby specifically reserved.

The resolution was read and was referred to the Committee on Jurisprudence.

#### House Concurrent Resolution 45 on Second Reading

On motion of Senator Richter and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

H. C. R. No. 45, In memory of Walter Prescott Webb.

The resolution was read and was adopted by a rising vote of the Senate.

#### Committee Substitute Senate Bill 15 Set as Special Order

Senator Reagan asked unanimous consent to set C. S. S. B. 15 as Special Order for 10:30 o'clock a.m. on Monday, May 25, 1963.

There was objection.

Senator Reagan then moved to set C. S. S. B. No. 15 as Special Order for 10:30 o'clock a.m. on Monday, May 25, 1963.

Senator Creighton moved as a substitute motion that C. S. S. B. No. 15 be set as Special Order for 10:30 o'clock a.m. on Monday, April 1, 1963.

Senator Reagan moved to table the substitute motion by Senator Creighton.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—22

Aikin	Hall
Blanchard	Hardeman
Calhoun	Harrington
Cole	Hazlewood
Colson	Kazen
Crump	Kennard
Dies	Moore

Parkhouse  
Ratliff  
Reagan  
Richter

Schwartz  
Spears  
Strong  
Watson

#### Nays—9

Bates  
Creighton  
Herring  
Krueger  
Moffett

Owen  
Patman  
Rogers  
Word

Question recurring on the motion by Senator Reagan to set C. S. S. B. No. 15 as a Special Order for 10:30 o'clock a.m. Monday, March 25, 1963, the motion prevailed by the following vote:

#### Yeas—25

Aikin  
Bates  
Blanchard  
Calhoun  
Cole  
Colson  
Crump  
Dies  
Hall  
Hardeman  
Harrington  
Hazlewood  
Herring

Kazen  
Kennard  
Moore  
Parkhouse  
Ratliff  
Reagan  
Richter  
Schwartz  
Spears  
Strong  
Watson  
Word

#### Nays—6

Creighton  
Krueger  
Moffett

Owen  
Patman  
Rogers

#### Senate Bill 2 on Second Reading

Senator Hardeman moved to suspend the regular order of business and take up S. B. No. 2 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—21

Aikin  
Bates  
Blanchard  
Calhoun  
Cole  
Crump  
Hall  
Hardeman  
Harrington  
Hazlewood  
Kazen

Moffett  
Owen  
Parkhouse  
Patman  
Ratliff  
Reagan  
Rogers  
Schwartz  
Spears  
Watson

#### Nays—10

Colson

Creighton

Dies  
Herring  
Kennard  
Krueger

Moore  
Richter  
Strong  
Word

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 2, A bill to be entitled "An Act creating and establishing Angelo State College at San Angelo, Texas, as a coeducational institution of higher learning, providing that the organization, management and control of said College shall be vested in the Board of Regents of the State Teachers Colleges; etc.; and declaring an emergency."

The bill was read the second time.

Pending discussion by Senator Moore of S. B. No. 2, Senator Parkhouse occupied the Chair.

(President in the Chair.)

Question—Shall S. B. No. 2 be passed to engrossment?

#### Recess

On motion of Senator Owen, the Senate, at 12:27 o'clock p.m. took recess until 1:30 o'clock p.m. today.

#### After Recess

Senator Calhoun called the Senate to order at 1:30 o'clock p.m. today.

#### Senate Bill 2 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 2 on its second reading and passage to engrossment.

Question—Shall S. B. No. 2 be passed to engrossment?

#### Senate Resolution 278

Senator Blanchard offered the following resolution:

Whereas, The Sundown Roughettes of Sundown, Texas, won the 1963 State Championship in Class A Division of the 1963 Girls State Basketball Tournament; and

Whereas, The Team was guided brilliantly by Head Coach C. W. Dukes to their third straight championship; and

Whereas, The following team mem-

bers, which includes many individual stars, and their manager are:

Barbara Baldwin, Pat Bridges, Janie Gibbens, Sandra Piratle, Elaine Stokes, Mildred McHam, Sue Janes, Charlotte Janes, Cheryl Crabtree, Brenda Perrin, Margie Joiner, Janie Gray, Sandra Lough, Evelyn Anderson, Nola Stokes and Janice Ratliff many times sacrificed personal glory to work effectively as a team; and

Whereas, The Superintendent of Sundown High School, Mr. Billy O. Key, led the student body in enthusiastic support of the team; and

Whereas, This team effort is an example for all Texans of high ideals and principles of sportsmanship and accomplishment in the University Interscholastic League; now, therefore, be it

Resolved, By the Senate of Texas, that the Senate extend its heartiest congratulations to the Sundown Roughettes basketball team, its coach and manager, and supporting student body and faculty for winning the State Championship and best wishes for successful seasons throughout the future; and be it further

Resolved, That official copies of this Resolution be forwarded to the coach, manager and members of the basketball team and the superintendent of Sundown High School.

The resolution was read.

Question on adoption of the resolution. Yeas and nays were demanded

The resolution was adopted by the following vote:

Yeas—25

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Richter
Hall	Schwartz
Hardeman	Strong
Hazlewood	Word
Herring	

Absent

Harrington	Rogers
Ratliff	Spears
Reagan	Watson

Senate Bill 2 on Second Reading

The Senate resumed the consideration of the pending business same being S. B. No. 2 on its second reading and passage to engrossment.

Question—Shall S. B. No. 2 be passed to engrossment?

Senator Hardeman raised the point of order that a Senator who was speaking on a matter that was before the Senate and yielded the floor to another Senator for the purpose of introducing a resolution lost the floor after the resolution was adopted.

The Presiding Officer (Senator Calhoun in the Chair) overruled the point of order and stated that the Senator had yielded the floor only on the condition that by so yielding he would not be taken off the floor, and no objection having been made to his yielding on this condition, the Senator had, in effect, unanimous consent of the Senate and had not lost the floor.

(President in the Chair.)

Pending further discussion by Senator Moore of S. B. No. 2, Senator Aikin occupied the Chair.

Question—Shall S. B. No. 2 be passed to engrossment?

Bill Signed

The Presiding Officer announced the signing of, by the President in the presence of the Senate after the caption had been read, the following enrolled bill.

H. B. No. 233, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 18th Judicial District of Texas; providing for severability; and declaring an emergency."

Message from the House

Hall of the House of Representatives  
Austin, Texas,  
March 18, 1963.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 35, A bill to be entitled 'An Act amending Chapter 125, of

the 45th Legislature, 1937, as last amended by Chapter 275, Acts of the 55th Legislature, 1957 (compiled as Article 6243e, Vernon's Texas Civil Statutes, providing in all cities of less than 185,000 inhabitants according to the last preceding federal census, for a program of contributions and membership to the Firemen's Relief and Retirement Fund; providing for the investment of fund proceeds in certain cities; providing for the creation, appointment and duties of an Investment Advisory Committee in all cities; providing for the hiring of an actuary in cities with a population of 800,000 or less according to the last preceding federal census; providing a severability clause; and declaring an emergency."

H. B. No. 292, A bill to be entitled "An Act relating to laboratory charges at state-supported institutions of higher education; amending Section 2 of Chapter 237, Acts of the 40th Legislature, 1927, as amended (compiled as Section 2 of Article 2654a, Vernon's Civil Statutes of Texas); providing an effective date; and declaring an emergency."

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk House of Representatives

#### Presentation of Guests

Senator Blanchard by unanimous consent presented as a guest of the Senate today, Mrs. Faye Ireland of Lubbock to the Members of the Senate.

#### Senate Bill 2 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 2 on its second reading and passage to engrossment.

Question—Shall S. B. No. 2 be passed to engrossment?

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 2, Sec. 3, by adding a new sentence after the end of such section, reading as follows:

"Notwithstanding any other provision hereof, no courses, offering, or departments shall be offered or established without the prior approval of two-thirds (2/3) of the membership of each house of the legislature given after the effective date of this act."

The amendment was read.

(President in the Chair.)

Pending discussion by Senator Creighton of the amendment by Senator Moore, Senator Kazen occupied the Chair.

(President in the Chair.)

Pending further discussion by Senator Creighton of Senator Moore's amendment, Senator Crump occupied the Chair.

(President in the Chair.)

Pending further discussion by Senator Creighton of Senator Moore's amendment, Senator Hall occupied the Chair.

(President in the Chair.)

Senator Hardeman moved to table the amendment by Senator Moore.

Question on the motion to table. Yeas and Nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—22

Alkin	Kazen
Bates	Moffett
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Crump	Ratliff
Dies	Reagan
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong

#### Nays—7

Colson	Krueger
Creighton	Richter
Herring	Word
Kennard	

#### Absent

Moore	Watson
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Senator Herring offered the following amendment to the bill:

Amend S. B. No. 2 by adding a new section reading as follows:

"Section 9(a). There is hereby appropriated the sum of \$1,000.00 to the San Angelo Junior College District for the purpose of planning the tran-

sition of San Angelo Junior College to Angelo State College."

The amendment was read.

Senator Hardeman raised the point of order that the amendment sent up by Senator Herring violated Rule 9-A of the Joint Rules.

The President sustained the point of order.

Senator Herring offered the following amendment to the bill.

Amend S. B. No. 2 by adding a new sentence to the end of Section 8, reading as follows:

"In no event however shall there be appropriated out of the general revenue of the State of Texas a sum in excess of \$500,000.00 for the support of the college established herein and in the event more than such amount is so appropriated then said college shall ipso facto revert to the status of a junior college."

The amendment was read.

Pending discussion by Senator Herring of his amendment, Senator Reagan occupied the Chair.

(President in the Chair.)

Question—Shall the amendment by Senator Herring to S. B. No. 2 be adopted?

#### Motion to Adjourn

Senator Creighton moved that the Senate stand adjourned until 11:00 o'clock a.m. tomorrow.

Question on the motion to adjourn. Yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

#### Yeas—9

Colson	Krueger
Creighton	Moore
Dies	Richter
Herring	Strong
Kennard	

#### Nays—22

Aikin	Crump
Bates	Hall
Blanchard	Hardeman
Calhoun	Harrington
Cole	Hazlewood

Kazen	Reagan
Moffett	Rogers
Owen	Schwartz
Parkhouse	Spears
Patman	Watson
Ratliff	Word

#### Senate Bill 144 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment.

S. B. No. 144, A bill to be entitled "An Act relating to Brazoria County Water Control and Improvement District-Brushy Meadows; providing for the repeal of Chapter 52, Acts of the Fifty-seventh Legislature, Third Called Session, 1962, creating said water control and improvement district; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 144 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 144 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:



## Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

## House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 35, To the Committee on Counties, Cities and Towns.

H. B. No. 292, To the Committee on Education.

## Senate Bill 2 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 2 on its second reading with an amendment by Senator Herring pending.

Question—Shall the amendment by Senator Herring to S. B. No. 2 be adopted?

Senator Hardeman moved to table the amendment by Senator Herring.

The motion to table prevailed by the following vote:

## Yeas—23

Aikin	Moffett
Bates	Owen
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Crump	Reagan
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Watson
Kazen	Word
Kennard	

## Nays—8

Colson	Creighton
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Dies	Moore
Herring	Richter
Krueger	Strong

Question on passage of S. B. No. 2 to engrossment. Yeas and Nays were demanded.

S. B. No. 2 was passed to engrossment by the following vote:

## Yeas—20

Aikin	Moffett
Bates	Owen
Blanchard	Parkhouse
Cole	Patman
Crump	Ratliff
Hall	Reagan
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Kazen	Watson

## Nays—11

Calhoun	Krueger
Colson	Moore
Creighton	Richter
Dies	Strong
Herring	Word
Kennard	

## Motion To Place Senate Bill 2 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 2 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

## Yeas—23

Aikin	Moffett
Bates	Owen
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Crump	Reagan
Dies	Rogers
Hall	Schwartz
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Kazen	

## Nays—8

Colson	Krueger
Creighton	Moore
Herring	Richter
Kennard	Word

**Motion to Adjourn**

Senator Creighton moved that the Senate stand adjourned until 11:00 o'clock a.m. tomorrow.

Senator Parkhouse moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question first on the motion by Senator Creighton to adjourn until 11:00 o'clock a.m. tomorrow, the motion was lost.

Question next on the motion by Senator Parkhouse to adjourn until 10:00 o'clock a.m. tomorrow. The motion was lost.

**Senate Resolution 279**

Senator Moore offered the following resolution:

Whereas, Sam Houston and Stephen F. Austin are enshrined in the hearts of all Texans; and

Whereas, The State of Texas has placed the statues of Sam Houston and Stephen F. Austin in the entranceway of the State Capitol in honor of their tremendous contributions to Texas independence; and

Whereas, These statues over the years, have accumulated dust and grime, dimming the pristine lustre of these two magnificent works of art; and

Whereas, Each year thousands of Texas citizens visit the State Capitol and carefully examine these two statues; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the State Board of Control be directed to immediately clean the statues of Sam Houston and Stephen F. Austin and to henceforth keep such statues in presentable condition.

The resolution was read.

Question—Shall S. R. No. 279 be adopted?

**Notice of Executive Session**

Senator Herring gave notice that he would on Wednesday, March 20, 1963, move for an Executive Session at 11:30 o'clock a.m.

**Motion to Adjourn**

Senator Calhoun moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion to adjourn was lost by the following vote:

**Yeas—14**

Aikin	Krueger
Calhoun	Moore
Colson	Ratliff
Creighton	Richter
Dies	Rogers
Harrington	Spears
Herring	Word

**Nays—16**

Bates	Moffett
Blanchard	Owen
Cole	Parkhouse
Crump	Patman
Hall	Reagan
Hardeman	Schwartz
Kazen	Strong
Kennard	Watson

**Absent**

Hazlewood

**Senate Resolution 279 on Second Reading**

The Senate resumed the consideration of the pending business, same being S. R. No. 279.

Question—Shall S. R. No. 279 be adopted?

On motion of Senator Dies and by unanimous consent, a second reading of the resolution was called for.

S. R. No. 279 was read the second time.

Question—Shall S. R. No. 279 be adopted?

**Adjournment**

On motion of Senator Moore the Senate at 6:41 o'clock p.m. adjourned until 10:15 o'clock a.m. tomorrow.

**Welcome Resolutions**

S. R. No. 265—By Senator Richter: Extending welcome to students, teacher and sponsor of Kasciusko Elementary School of Kasciusko.

S. R. No. 268—By Senator Ratliff: Extending welcome to students, teacher and superintendent of Marion High School.

S. R. No. 269—By Senator Spears: Extending welcome to students, teachers and sponsors of Nimitz Junior High School from North East Independent School District.

S. R. No. 270—By Senator Dies: Extending welcome to Rebecca Townsend of Lufkin.

S. R. No. 273—By Senator Herring: Extending welcome to students and teacher of Creedmoor High School of Travis County.

S. R. No. 274—By Senator Watson, Extending welcome to students, teach-

er and sponsors of Moody High School.

S. R. No. 276—By Senator Herring: Extending welcome to students and teacher of Brentwood School of Austin.

S. R. No. 277—By Senator Herring: Extending welcome to students and teachers of Lamar Junior High School of Austin.

#### Memorial Resolution

S. R. No. 275—By Senator Aikin: Memorial resolution for Lee A. Denton, Sr.

**In Memory of**  
**W. B. Wood**

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Senator Harrington offered the following resolution:

(Senate Resolution 266)

Whereas, On July 5, 1962, Jefferson County and the State of Texas lost one of its most highly esteemed citizens in the passing of W. B. Wood; and

Whereas, Mr. Wood, a native of Claude, Texas, and a resident of Port Arthur since 1915, was a member of Lakeview Methodist Church; and

Whereas, He was a painter and decorator, and had a life membership in the Brotherhood of Painters, Decorators and Paperhangers of America; and

Whereas, A sports enthusiast, he was an active member of the Sabine-Neches Sportsman's Club in Port Arthur and was its president for the past four years; and

Whereas, He was a member of the board of directors of the Scot Organization, the associated organization of sportsmen's clubs of Texas; and

Whereas, He was president of the statewide association for Tax Relief for Senior Citizens; and

Whereas, Mr. Wood was truly one of the best loved and respected citizens of Jefferson County; and

Whereas, He was a devoted husband and father; a man of warmth and one who accumulated friends in all walks of life; and

Whereas, On March 18, 1911, he married the lovely Vera Ann Herrin at Whit, Texas, and for over a half century they were constant companions and could be seen hunting and fishing together and working on many projects to make this world a better place for mankind; and

Whereas, Mr. Wood's high principles of fair-dealing and thoughtful consideration for others, his clean habits and loyalty to his family and friends leave a rare heritage of love and kindness to those who remain to mourn his passing; and

Whereas, He was survived by Mrs. W. B. Wood, his devoted wife; two sons, R. H. Wood of Port Arthur, and Melvin Wood of Bridge City; two daughters, Mrs. Dalph Alexander of Elkhart, Indiana, and Mrs. M. A. Nichols of Tulsa, Oklahoma; nine grandchildren and one great-grandchild; now therefore, be it

Resolved, That a page be set aside in the Senate Journal as a memorial to W. B. Wood, that copies of this resolution be sent to his family with the deep regard of the Texas Senate; and that when the Texas Senate adjourns today it do so in honor and memory of this great man.

The resolution was read and was adopted by a rising vote of the Senate.

## In Memory of The Honorable Galloway Calhoun, Sr.

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Senator Hardeman offered the following resolution:

(Senate Resolution 267)

Whereas, While addressing the 90th Annual Conclave of the Knights Templar of Arkansas at Little Rock on April 18, 1962, a distinguished Texan was called to his eternal resting place; and

Whereas, Spanning a career of three score and eight years, following his birth on April 18, 1894, at Athens, the son of John C. Calhoun, a clergyman, and the former Miss Bettie Moore, Honorable Galloway Calhoun, Sr. spent his childhood in the small East Texas community of Starrville and climaxed an active life with his acknowledged leadership in Methodism, Masonry Law and Democrat politics; and

Whereas, Mr. Calhoun, following his attendance at the University of Texas and Cumberland University at Lebanon, Tennessee, and after service in World War I, entered politics as Assistant County Attorney of Smith County, subsequently, to serve from 1920 to 1927 as District Attorney for Smith County. Establishing the reputation as a formidable prosecutor he was called to serve as an Assistant Attorney General of the State from 1927 to 1928 and as First Assistant Attorney General from 1928 to 1930, after which he returned to private practice, building an extensive law practice in the well-known East Texas law firm of Ramey, Calhoun and Marsh. In 1941 he served as a special assistant to the United States Attorney General on Selective Service affairs until 1948; and

Whereas, His political philosophy and views were pronounced and felt throughout the Democrat Party in Texas, as well as of the Nation. Mr. Calhoun attended the National Democrat Party Conventions in 1924 in New York, in 1932 at Chicago and at Philadelphia in 1936. He declined appointment as Ambassador to the Dominican Republic in 1952. Mr. Calhoun served his native State as a member of the Board of the Department of Corrections and later of the State Law Enforcement Commission; and

Whereas, Mr. Calhoun was a teacher of the Men's Friendly Bible Class at Marvin Methodist Church in Tyler for thirty-one years and served as an official delegate to numerous and various Methodist Conferences, local, district and General. Along with other activities he was a member of the Board of Trustees of Southern Methodist University; and

Whereas, He was recognized leader in fraternal work, having been long active in Masonry and being a 33rd degree Mason. He was awarded the Constantine Cross, which is worn by only fifty men throughout the world at one time, and is one of the highest orders of Freemasonry, and stems from one of the oldest orders of Christian Knighthood, being organized in 812 A.D. Further work and devotion to Freemasonry saw Mr. Calhoun serve as Grand Master of the Grand Lodge of Texas and later as Grand Sovereign, Grand Imperial Council. His next step was that of becoming the Imperial Potentate of the Shrine of North America; and

Whereas, He was an honorary life member of Tyler Chapter 112, Order of the Eastern Star and a past patron thereof. Mr. Calhoun was one of four men in the United States to receive the Grand Cross of Honor by the Supreme Council of Scottish Rite; and

Whereas, During his busy life he was ever mindful of his civic responsibilities, serving in many and various capacities, such as President of the Tyler Community Chest for years; as member of the Federal Centennial Advisory Committee to assist in the Texas Centennial Celebration; as director of the Texas Physiotherapy Center; as Director of the Smith County Youth Foundation; of the East Texas Hospital Associa-

tion; of the Texas Rose Festival; as member and past chairman of the Board of Stewards of Marvin Methodist Church; as representative to the Imperial Council of Shrine of North America since 1926; Past Master of St. John's Lodge No. 53 of Tyler; past Commander of Knights Templar; Past Potentate of Karem Temple; Past President of the Texas Shrine Council; Director of Court, Royal Order of Jesters; Past Sovereign of St. Mark's Conclave, Red Cross of Constantine and Past Grand Sovereign of Red Cross of Constantine for the United States, Mexico and the Philippines, and a recipient of the Henry Price Medal from the Grand Lodge of Massachusetts; and

Whereas, This man of Texas truly attained the stature of greatness, among his fraternal, civic and religious friends and maintained the respect and confidence, during nearly four decades in the practice of law, of his fellow-lawyers and the Courts in which he practiced. Mr. Calhoun's fame and the esteem in which he was held is reflected by having been awarded honorary doctor's degrees from four colleges and universities and that he was listed in Who's Who in America, Who's Who in Law and Who's Who in Methodism; and

Whereas, His greatest interest centered in the crippled children he served so long and so well through the Shrine's fine rehabilitation hospitals throughout the country, during which time he traveled hundreds of thousands of miles to visit the youngsters in these hospitals and to conduct the business necessary to provide for their treatment; and

Whereas; While Galloway Calhoun, Sr. walked with the proud and mighty and enjoyed personal friendship with some of the Nation's outstanding men in many fields, he never forgot his many unpretentious old friends back home in East Texas and as a man he diligently strove for good; and

Whereas, The passing of this outstanding Texan has left a vacancy in the ranks of those dedicated, patriotic citizens whose practice and application of the principles of free enterprise and the Golden Rule enabled them to attain material success and to devote their talents to helping others, thus demonstrating their good stewardship over earthly affairs and extending their influence for good to generations yet to come; and

Whereas, His wife, the late Dorothy Calloway, having pre-deceased him in 1954, he is survived by his son, our distinguished colleague, Honorable Galloway Calhoun, Jr., and a daughter, Mrs. Elizabeth Calhoun Bobbit, of San Antonio, and six grandchildren; and

Whereas, It is the desire of the Senate of Texas to recognize the patriotic and unselfish service and contributions of Honorable Galloway Calhoun, Sr. to his fellowmen, his community, his State and his country and to commend his good works and to express its sympathy to his surviving family and associates upon his passing; now, therefore, be it

Resolved by the Senate of Texas, That it does hereby recognize the patriotic and unselfish service and contributions of Honorable Galloway Calhoun, Sr., to his fellowmen, his community, his State and his Country and commend his good works and extend its sympathy to his surviving family and associates and that copies of this resolution, under the official Seal of the Senate be forwarded to his surviving family by the Secretary of the Senate; and be it further

Resolved, That when the Senate adjourns today it do so in memory of Honorable Galloway Calhoun, Sr. and that a page in the Journal be set aside for this resolution in his honor.

HARDEMAN  
MOFFETT

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Creighton, Cole, Colson, Crump, Dies, Hall, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.